

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

ERIC A. BELLER,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Case No. 3:10-cv-05657-RBL-KLS

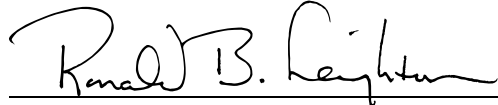
ORDER OF REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, this case shall be assigned to a different Administrative Law Judge (ALJ). The ALJ shall further consider the medical evidence of record, including the opinions of the State agency psychologists. The ALJ shall also obtain testimony from a psychological expert to help determine the degree of severity of Plaintiff's mental impairments, including schizophrenia. The ALJ shall also formulate a new residual functional capacity based on a function-by-function assessment of the evidence in accordance with Social Security Ruling (SSR) 96-8p. Finally, the ALJ shall obtain supplemental testimony

1 from a vocational expert based on the newly formulated residual functional capacity, and in
2 accordance with SSR 00-4p.

3 Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d),
4 upon proper request to this Court.

5 DATED this 14th day of March, 2011.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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12 Presented by:

13 s/ Mathew W. Pile

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